

~~=====DRAFT UNAPPROVED=====~~

**VIRGINIA BOARD OF MEDICINE
LEGISLATIVE COMMITTEE MINUTES**

Friday, May 18, 2007

Department of Health Professions

Richmond, VA

CALL TO ORDER: The meeting of the Committee convened at 8:42 a.m.

MEMBERS PRESENT: Stephen Heretick, JD, Chair
Gen. Clara Adams-Ender, RN, MSN
Ann Burks, JD
Malcolm Cothran, MD
Robert Mosby, MD

MEMBERS ABSENT: Suzanne Everhart, DO

STAFF PRESENT: William L. Harp, MD, Executive Director
Barbara Matusiak, MD, Medical Review Coordinator
Jennifer Deschenes, Deputy Director, Discipline
Kathleen Nosbisch, Deputy Executive Director, Practitioner
Information
Elaine Yeatts, DHP Policy Analyst
Ishneila Moore, Assistant Attorney General
Colanthia Morton Opher, Recording Secretary

OTHERS PRESENT: Mike Jurgensen, MSV
Tyler Cox, MSV
Susan Wadsworth, Redi Clinic

ROLL CALL

EMERGENCY EVACUATION INSTRUCTIONS

The Emergency Evacuation Instructions was read by Mr. Heretick.

APPROVAL OF MINUTES OF JANUARY 26, 2007

Dr. Mosby moved to approve the minutes of January 26, 2007 as presented. The motion was seconded and carried.

ADOPTION OF AGENDA

Gen. Adams-Ender moved to adopt the agenda as presented. The motion was seconded and carried.

PUBLIC COMMENT

There was no public comment.

NEW BUSINESS

Regulatory Actions

Ms. Yeatts gave a brief update of the pending regulations and noted that they will be on the Board's agenda for final adoption June 21, 2007.

Regulations Pending for the Board of Medicine

Mixing, diluting or reconstituting sterile drug products by doctors

General Adams-Ender moved to recommend the final regulations for adoption to the Full Board on June 21, 2007. The motion was seconded and carried.

Changes in continuing competency requirements

Ms. Burks moved to recommend the final regulations to the Full Board for adoption on June 21, 2007. The motion was seconded and carried.

Responsibilities of supervisors of AT's with provisional authorization

Dr. Cothran moved to recommend the final regulations to the Full Board for adoption on June 21, 2007. The motion was seconded and carried.

Final Regulations – Regulations Governing the Practice of Respiratory Care Practitioners

Dr. Mosby moved to recommend the final regulations to the Full Board for adoption on June 21, 2007. The motion was seconded and carried.

Final Regulations - Credentials and Examination Requirements

Dr. Mosby moved to recommend the final regulations to the Full Board for adoption on June 21, 2007. The motion was seconded and carried.

Final Regulations - CE for Medical Examiners

General Adams-Ender moved to recommend the final regulations to the Full Board for adoption on June 21, 2007. The motion was seconded and carried.

Regulations Governing Collaborative Practice Agreements

Ms. Yeatts advised that today's review of the amended collaborative practice agreement by the Legislative Committee was occurring prior to the review by the Board of Pharmacy. Ms. Yeatts stated that the intent of the regulations is to clarify some of the requirements and eliminate some of the aspects of the collaborative practice requirements that were burdensome without affecting the public's welfare and safety. Ms. Yeatts informed the Committee that Kaiser Permanente had called for a change to the amended agreements and their request will be heard by the Board of Pharmacy at a future meeting that should take place before the Board of Medicine's June 2007 meeting.

After brief discussion, Dr. Mosby moved to submit the Collaborative Practice Agreement as presented to the Full Board without recommendation. The motion was seconded and carried. Ms. Yeatts noted that at the June 21st meeting, she will provide the full letter from Kaiser and the action taken by the Board of Pharmacy.

Draft Fast-track Regulations - Regulations Governing Prescriptive Authority for Nurse Practitioners

Ms. Yeatts provided an updated draft of the fast-track regulations and advised that no substantive changes were being recommended. Ms. Yeatts stated that current regulations provide that someone who enters into a practice agreement with a NP with prescriptive authority must regularly practice in the location of the NP. Ms. Yeatts went on to say that the exception (B) was only intended to apply to those individuals who contracted with a local health department or a certified nurse midwife but that this exception was not clear.

After discussion, Dr. Mosby moved to recommend the Fast-Track Regulations Governing Prescriptive Authority for Nurse Practitioners, with the amendments to form offered by Ms. Burks, to the Full Board on June 21, 2007. The motion was seconded and carried.

Ms. Yeatts advised that in addition to the previously discussed regulations, an amendment to the profile regulations will be before the Full Board in June.

Announcements

Dr. Harp announced that PHCOs were scheduled to begin at the conclusion of the Legislative meeting.

Ms. Yeatts advised that Committee that the recommendation from the Ad Hoc Committee on Opioids and Pain Management should be ready for presentation to the Full Board in June for adoption as proposed regulations.

Adjournment

With no further business to conduct, the meeting adjourned at 10:23 a.m.

Stephen E. Heretick, J.D.
Chair

William L. Harp, M.D.
Executive Director

Colanthia M. Opher
Recording Secretary